SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Gangtok | Tuesday 20th January, 2004 | No. 8

GOVERNMENT OF SIKKIM
URBAN DEVELOPMENT AND HOUSING DEPARTMENT
GANGTOK

No. GOS/UD & HD/6 (894) 2003/7626/UD & HD Dated 5.1.2004

NOTIFICATION

Whereas it is deemed expedient to make the Bye Law for running of the passenger ropeway in Sikkim; Now therefore, the Governor of Sikkim is hereby pleased to make the following Bye laws, namely: -

Short title and commencement.

1. (1) These byelaws may be called the Bye-laws of Passenger Aerial Ropeway in Sikkim.
(2) They shall come into force from the date of its commercial operation.

Definitions.

2. In these bye-laws, unless there is any thing repugnant in the subject or context: -

(a) "Cabin" means carrier used for carrying the passengers on Aerial Ropeway.
(b) "Operating Agency" means any person, organization or company to whom the Government of Sikkim authorises to operate the Aerial Ropeway in such terms and conditions as may be determined between the parties.

Manner to regulate and other conditions of Aerial Rope-ways.

3. Manner of regulating the Aerial Ropeway and other conditions shall be as under: -

(1) The speed of the Aerial Ropeway shall be four meter per second.
(2) The maximum weight of passengers to be carried in each cabin shall not exceed 1625 (one thousand six hundred and twenty five) kgs.
(3) The maximum number of passengers allowed to be carried in each cabin shall be 25 (twenty five) adults or children.

Explanation: --

For the purpose of clause 3 (3) of this bye-law children up to the age of 3 (three) years shall not be counted .Two (2) children above the age of 3 (three) years shall be considered as one adult.

(4) The passengers shall not be allowed to carry the arms and ammunitions as defined in the Arms Act, 1959 and the alcohols/intoxicants while traveling on the Aerial Ropeway.
(5) The Aerial Ropeway shall only be used to carry human beings and no pets or animals shall be permitted to be carried in the cabin.
(6) The passengers shall not be allowed to eat, drink or smoke while traveling on the Aerial Ropeway.
(7) The Operating Agency may refuse any passenger to ride the cabin, if any employee

of the company find that person is under the influence of any intoxicant or is otherwise physically or mentally unfit to travel on the Aerial Ropeway or apprehends any danger to the co-passengers or employee of the operating agency.

Facilities of Ware house or to retain goods.

4. (1) The Operating Agency shall provide a luggage room for storing heavy luggage of the passengers against proper receipt for a specified time.
(2) The Operating Agency shall allow the passengers *to* carry small luggage like briefcase or handbag with them free of charge.
(3) The Operating Agency shall not be responsible for loss of personal belongings of the passengers and they will themselves take care of their belongings during travel on the Aerial Ropeway.
(4) If any employee of the Operating Agency have any doubt on any passenger traveling on the Aerial Ropeway that he is carrying some goods which are prohibited as per this Bye-Laws , the employee of the Operating Agency shall be allowed by the passenger to search his/her luggage.

Conduct of operating Agency employee.

5. (1) Every employee of the Operating Agency shall behave properly and show courtesy to the passengers.
(2) Every employee of the Operating Agency shall strictly abide by the law relating to intoxication, drinks or drugs in force in the area of operation of the Aerial Ropeway.
(3) Every employee of the Operating Agency shall abide by the provisions of these bye-laws and also ensure that the bye-laws are not violated by any person in any manner.

Timings of operation of Aerial Ropeway

6. The Aerial Ropeway shall normally be operative between 8 am to 7 pm everyday or as per time schedule approved by the concerned authority which shall be displayed on the notice board at the Aerial Ropeway station.

Power to be used for Operation of Aerial Ropeway.

7. (1) The power to be used for operating the Aerial Ropeway shall be electrical power. In case of breakdown of electrical power supply, the Aerial Ropeway shall be operated with the diesel generator and or diesel engine.
(2) During their maintenance or breakdown period, the Operating Agency shall inform the public by advertising in the local news paper in respect of the closure and reopening of the Aerial Ropeway. if the stoppage is more than one day.

Compensation in case of accident

8. (1) In case of death or permanent disablement of person resulting from any accident arising out of the operation of the Aerial Ropeway, the Operating Agency shall be responsible for payment of permanent compensation in respect of such death or disablement through Insurance Company. The amount of compensation shall be payable as under.-

(i) Children upto 3 years of age	-	Rs. 30,000/-
(ii) Children beyond 3 years of age but upto 18 years	-	Rs. 60,000/-
(iii) Adults	-	Rs.1,00,000/-

(2) For minor injuries during the Aerial Ropeway journey, normal first aid shall be provided by the Operating Agency.
(3) In case of major injuries during the Aerial Ropeway journey, if hospitalization is recommended by any registered medical practitioner, the cost of treatment limited to Rs.20,000/- for an individual shall be met by Operating Agency.

Maximum rates of tickets to be charged and other conditions.

9. (1) The maximum rates of tickets to be charged by the Operating Agency shall be as approved by the State Government from time to time and the rates shall be displayed on the notice board at the terminal buildings of the Aerial Ropeway.
(2) Ticket once sold will not be refundable under normal circumstances. The refund will only be allowed in case the Aerial Ropeway is not operative for any reason whatsoever beyond the control of the Operating Agency.

(3) The ticket shall be valid for 6 (six) hours only from the time of its issue. But if the tickets issued on a particular date even 1 (one) hour before the closing time of the aerial ropeway operation it shall be valid only upto the closing hour of that particular date. The passenger should ensure that they reach and come back to the terminal stations of the Aerial Ropeway atleast 1 (one) hour before the closing time of the operation of the Aerial Ropeway.

(4) The ticket counter and sale of ticket shall normally be closed half an hour before the time of the closure of the Aerial Ropeway.

(5) The Operating Agency shall make adequate arrangement for keeping the area clean and shall provide proper lighting, toilet facility, pure drinking water at all terminal stations.

(6) The Operating Agency shall make provisions for issuing out of turn ticket to the handicapped persons so that they are not required to stand in queue.

(7) The Operating Agency shall provide fire fighting equipment as required at all terminal stations of the Aerial Ropeway.

(8) The passengers shall not be allowed to resort to any activity causing nuisance or obscene to the public in the terminal stations of the Aerial Ropeway and or while traveling the Aerial Ropeway.

Penalty for violation of bye-laws.

10. (1) Any person who contravenes any of the provisions of the these bye-laws shall be liable to fine to the extent as may be decided by the Operating Agency in consultation with the Government.

(2) In case, if any employee of the Operating Agency contravenes any of the provisions of the bye- laws, he shall be liable to be terminated from employment, as the case may be, or to pay fine as the Operating Agency may impose.

By order and in the name of the Governor.

Principal Secretary
Urban Development and Housing Department
Government of Sikkim
Gangtok

Printed at Sikkim Government Press, Gangtok.